

Appln. No. 09/537,859
Amdt. dated December 23, 2004
Reply to Office action of July 23, 2004

REMARKS

Claims 24-27 and 31-34 presently appear in this case. No claims have been allowed. The official action of July 23, 2004, has now been carefully studied.

Reconsideration and allowance are hereby respectfully urged.

Briefly, the present invention relates to certain isolated amino-terminally truncated MCP-2 polypeptides that are identical to the MCP-2 polypeptide according to SEQ ID NO:2, but lack the N-terminal first; first and second; first, second and third; first, second, third and fourth; or first, second, third, fourth and fifth amino acids.

Claims 24-27 and 31-34 have been rejected under 35 U.S.C. §103(a) as being unpatentable over Van Damme in view of Gong, and further in view of Van Coillie. In response to applicant's previous argument, the examiner stated that applicant's arguments would be more persuasive if the claims were amended to recite "an isolated amino-terminally truncated MCP-2 polypeptide consisting of residues ... of SEQ ID NO:2".

The present claims have now been amended as suggested by the examiner. The examiner has stated that applicant's arguments "would be more persuasive" if the claims were so amended. Accordingly, applicant hereby repeats and incorporates by reference the arguments made in applicant's

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amendment of September 30, 2003. In view of the fact that the applicant has amended the claims as suggested by the examiner, it is submitted that these arguments should now be sufficiently persuasive to permit withdrawal of this rejection. If the examiner's suggestion should have been interpreted as also requiring the deletion of all words after SEQ ID NO:2 in line 4 of currently amended claims 24-27 and 31, and such is necessary in order to place the case into condition for allowance, the examiner is hereby authorized to delete such words by examiner's amendment. Reconsideration and withdrawal of the rejection is therefore respectfully urged.

Claims 24-27 and 31-34 have been rejected under 35 U.S.C. §103(a) as being unpatentable over Rollins in view of Van Damme, and further in view of Van Coillie. With respect to this rejection, the examiner also states that applicant's arguments would be more convincing if the pending claims are amended to cite "an isolated amino-terminally truncated MCP-2 polypeptide consisting of residues ... of SEQ ID NO:2". This rejection is respectfully traversed.

As discussed above, the present claims have now been amended as suggested by the examiner. The arguments previously presented in applicant's amendment of September 30,

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2003, have been incorporated herein by reference.

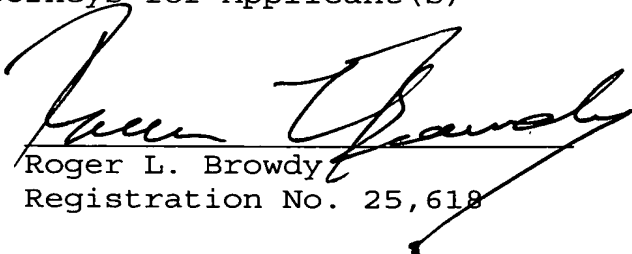
Accordingly, it is urged that these arguments are now sufficiently convincing in view of the amendment to the claims to permit withdrawal of this rejection. As stated above, if the examiner's suggestion should have been interpreted as also requiring the deletion of all words after SEQ ID NO:2 in line 4 of currently amended claims 24-27 and 31, and such is necessary in order to place the case into condition for allowance, the examiner is hereby authorized to delete such words by examiner's amendment. Reconsideration and withdrawal of this rejection is therefore respectfully urged.

It is submitted that all of the claims now present in the case clearly define over the references of record. Reconsideration and allowance are therefore earnestly solicited.

Respectfully submitted,

BROWDY AND NEIMARK, P.L.L.C.
Attorneys for Applicant(s)

By


Roger L. Browdy
Registration No. 25,618

RLB:jab
Telephone No.: (202) 628-5197
Facsimile No.: (202) 737-3528
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